

Add new claim 37 as follows:

FI --37. The method of claim 35, wherein the computer section is permanently attached to the transportable container.--

REMARKS

Claims 13-37 are pending in the present application. The Applicants thank the Examiner for his time during the telephonic interview discussing the claim language and Collins, Jr. As discussed during the interview, the term "fixed" has been change to "permanently fixed" in claims 13, 22 and 29 to clarify that certain connections of elements in these claims are not removable connections.

In addition, claim 35 has been amended to correct a typographical error and claim 37 has been added to further define the invention recited in claim 35.

In part 4 of the Office Action, the Examiner requires modification of the Brief Summary of the invention and a restriction of the descriptive matter. As set forth in M.P.E.P. §1302.01, it is requested that this requirement be postponed until the application is otherwise in condition for allowance.

In part 6 of the Office Action, the Examiner notes two typographical errors made in the Amendment filed August 30, 1996. These typographical errors were corrected in the Response filed December 26, 1996.

Claims 22, 27-30, 32, 33, 35 and 36 are rejected under 35 USC §102(b) as being anticipated by Collins, Jr. This rejection is respectfully traversed.

Preferred Embodiments of the Invention

One example of the invention is illustrated in the Figures 10 and 11 of the present application. A cart section 101 and basket member 102 serve as an accommodation section for shopping cart 100. Additionally, a scanner 57, a communication section 53, a display section 54 and a keyboard section 55 are permanently fixed to the transportable accommodation section. Claim 22 broadly reflects this detailed embodiment, reciting that "said commodity code reading section, said magnetic card reading section and said commodity price retrieval section are permanently fixed to said transportable accommodation section."

By attaching a commodity code reader to a transportable container, the consumer is able to register a commodity and purchase the commodity at the site of selecting the commodity. Claim 27 recites "(a) selecting a first commodity to be purchased at a first selection site; (b) reading a first commodity code of the first commodity at the first selection site, using a commodity code reader attached to the transportable container; and (c) paying for the first commodity code at the first selection site as a function of the first commodity code read in step (b), using a payment processor attached to the transportable container." Claim 28 further describes a method where a second commodity is purchased at a second selection site, different from the first selection site. Claim 29 further defines the method of claim 27, reciting that the commodity code reader and the payment processor are permanently fixed to the transportable

container. Claim 30 depending from claim 27 recites that the transportable container is a grocery cart.

Claims 35 and 36 recite a method in which a commodity is selected and placed in a transportable container for each commodity to be purchased. When the selecting of commodities is ended, the commodities may be paid for using a computer section attached to a transportable container.

Collins, Jr

Figure 1 of **Collins, Jr** illustrates a checkout system including a portable scanning terminal 44 which is removably mounted on the handles 46 of adjacent grocery cart 48 and 50. A checkout operator 54 will mount the scanning unit 44 on the handles in such a manner to allow the operator or the customer to checkout the merchandise items located in the grocery cart 50.

In a second embodiment of **Collins, Jr**, illustrated in Figures 3 and 5, support member 68 is rigidly mounted to handle 46 and handle support member 76. As stated in column 4, line 63 through 66, scanning terminal 44 is mounted between carts 48 and 50 in the manner similar to the first embodiment. The Examiner's attention is directed to the abstract which states that this second embodiment provides a support member removably mounted to the handle of a grocery cart containing purchased merchandise items. Additionally, column 1, lines 34 through 36 further emphasize that the scanning terminal is removably mounted.

However, because **Collins, Jr** fails to teach or suggest "said commodity code reading

section, said magnetic card reading section and said commodity price retrieval section are permanently fixed to said transportable accommodation section" as recited by claim 22, it is respectfully requested that the Examiner reconsider and withdraw this rejection with respect to claim 22.

In addition, Collins, Jr fails to teach or suggest selecting a commodity at a first selection site, reading a commodity code of the first commodity at the first selection site and paying for the first commodity at the first selection site using a payment processor attached to the transportable container, as required by claims 27-30, 32 and 33.

Furthermore, Collins, Jr fails to teach or suggest, for each commodity to be purchased, selecting a commodity, storing a commodity code of a commodity, and placing the commodity selected in a transportable container, and paying for all commodities selected using a computer section attached to the transportable container, as recited by claims 35 and 36.

Because Collins, Jr fails to teach or suggest the recitations of claims 22, 27-30, 32, 33, 35 and 36, it is respectfully requested that the Examiner reconsider and withdraw this rejection.

Claims 13-21, 33 and 34 are rejected under 35 USC §103 as being unpatentable over Collins, Jr. This rejection is respectfully traversed.

Claims 13-21 describe one example of the invention in which "said commodity code reading section, said prepaid card inputting processing section, said commodity price retrieval section and said data updating section are permanently fixed to said transportable accommodation section." As shown above, Collins, Jr teaches away from this recitation, teaching a portable

scanning terminal 44 which is removably mounted to handles of adjacent grocery carts. Thus, because Collins, Jr fails to teach or suggest the recitations of claims 13-21, it is respectfully requested that the Examiner reconsider and withdraw this rejection.

Claims 23 and 34 depend from claim 22. As shown above, Collins, Jr fails to teach or suggest the recitations of claim 22. Therefore, claims 23 and 34 are allowable at least for the reasons given with respect to claim 22, and it is therefore respectfully requested that the Examiner reconsider and withdraw this rejection.

Claim 31 is rejected under 35 USC §103 as being unpatentable over Collins, Jr in view of Hehemann (German Patent Document 2139889). This rejection is respectfully traversed.

The teachings of Collins, Jr have been discussed above.

The Examiner utilizes Hehemann to show a hand carried basket. However, Hehemann also fails to teach or suggest selecting a first commodity, reading a first commodity code of the first commodity and paying for the first commodity at a first selection site, as recited by claim 27, from which claim 31 depends. It is therefore respectfully asserted that claim 31 is allowable at least for this reason, and requested that the Examiner reconsider and withdraw this rejection.

Claims 24-26 are rejected under 35 USC §103 as being unpatentable over Collins, Jr in view of Ehrtat. This rejection is respectfully traversed.

Ehrat

Figure 13 of **Ehrat** illustrates a check-out station 4 including contact position 96 to which an appliance connector 95 of purchase trolley 2 may be connected. As the customer arrives with the trolley at the check-out station 4, contact between the appliance connection 95 on the trolley and contact position 96 is established to transfer article designation to check-out station 4. The amount to be paid is indicated on panel 4c.

The trolley may include a container in which the customer places articles including means for reading the data applied to each article as it is placed or removed from the container.

Ehrat is similar to **Collins, Jr** in that it does not allow a consumer to purchase commodities when selecting the commodity; both references teach the purchase of the commodities at a checkout station with a checkout operator. On the other hand, one embodiment of the invention contemplates a commodity code reading section, a magnetic card reading section and a commodity price retrieval section fixed to the transportable accommodation section (as required by claims 24 through 26). Thus, a consumer may purchase the commodity as the consumer selects the commodity. Both **Ehrat** and **Collins, Jr**, fail to teach or suggest such structure. Consequently, **Ehrat** and **Collins, Jr**, fail to achieve the advantages of this embodiment of the present invention.

Because **Collins, Jr.** and **Ehrat** fail to teach or suggest the recitations of claims 24-26, it is respectfully requested that the Examiner reconsider and withdraw this rejection.

Claim 37 has been added in order to further describe certain aspects of the invention. Claim 37 is allowable at least for the reasons given with respect to claim 35. In addition, claim 37 recites that the computer section is permanently attached to the transportable container. This recitation is not taught or suggested by the prior art.

If for any reason the Examiner believes that the application is not now in condition for allowance, the Examiner is invited to contact the undersigned at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that any additional fees are due in connection with this paper, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI,
McLELAND & NAUGHTON

A handwritten signature in black ink, appearing to read 'P.D. Muir', is written over the printed name.

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